HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT APPEAL No. 828 OF 2006

Between:

Medical Council of India,
Through its Secretary,
New Delhi

... Appellant

And

Dr.N.V. Narayana Setty

... Respondent

:: J U D G M E N T ::

Counsel for the appellant : Shri S. Niranjan Reddy

Counsel for the respondent : Shri P. Parameswara Rao for
Shri S.C. Rangappa

February 26, 2007

Per G.S. Singhvi, CJ

This appeal is directed against order dated 16.12.2005 passed by the learned Single Judge in Writ Petition No.6633 of 2005. That order reads as under:

> " It is brought to my notice by the learned counsel for the petitioner that a Division Bench of this Court in W.A.No.2107 of 2004 and batch, having considered the issue involved in detail, set aside the impugned proceedings, dated 01.11.2004, by an order dated 05.04.2005, however granting liberty to the respondents to initiate appropriate action against the writ petitioners in accordance with law. The learned counsel for the respondent does not dispute the same.
>
> Accordingly, the impugned order, dated 01.11.2004, is set aside and the writ petition is disposed

of in terms of directions in W.A.No.2107 of 2004 and batch, dated 05.04.2005. No costs."

Since the writ petition was allowed by the learned Single Judge by following the law laid down by the Division Bench in Writ Appeal No.2107 of 2004, we do not find any valid reason to interfere with the same.

With the above observation, the appeal is dismissed.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

February 26, 2007
ksld